

SB0730



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0730

Introduced 2/8/2007, by Sen. Susan Garrett

SYNOPSIS AS INTRODUCED:

225 ILCS 320/2.5

Amends the Illinois Plumbing License Law. Provides that all automatically operated lawn sprinkler systems shall have furnished and installed technology that inhibits or interrupts operation of the system during periods of sufficient moisture or rainfall. Provides that this requirement does not apply to systems operating on golf courses or agricultural lands. Effective January 1, 2009.

LRB095 08388 RAS 28561 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Plumbing License Law is amended by
5 changing Section 2.5 as follows:

6 (225 ILCS 320/2.5)

7 (Section scheduled to be repealed on January 1, 2013)

8 (Text of Section before amendment by P.A. 94-101)

9 Sec. 2.5. Irrigation contractors; lawn sprinkler systems.

10 (a) Every irrigation contractor doing business in this
11 State shall annually register with the Department. Every
12 irrigation contractor shall provide to the Department his or
13 her business name and address, telephone number, name of
14 principal, and FEIN number. Every irrigation contractor doing
15 business in this State shall also register with the Department
16 each and every employee who installs or supervises the
17 installation of lawn sprinkler systems. The registration shall
18 include the employee's name, home address, and telephone
19 number. The Department may provide by rule for the
20 administration of registrations under this subsection. The
21 annual registration fee shall be set by the Department pursuant
22 to Section 30 of this Act.

23 (b) A licensed plumber or licensed apprentice plumber may

1 install a lawn sprinkler system connected to any water source
2 without registration under this Section.

3 (c) A licensed plumber shall inspect every sprinkler system
4 installed by an irrigation contractor to ensure the provisions
5 of this Section have been met and that the system works
6 mechanically. A licensed plumber shall make the physical
7 connection between a lawn sprinkler system and the backflow
8 prevention device.

9 Upon the installation of every lawn sprinkler system in
10 this State from the effective date of this amendatory Act of
11 the 91st General Assembly forward, a licensed plumber shall
12 affix to the backflow prevention device a tag certifying that
13 the installation of that system has been completed in
14 compliance with the minimum code of plumbing standards
15 promulgated under this Act. The Department shall provide by
16 rule for the registration of every lawn sprinkler system
17 installed after the effective date of this amendatory Act of
18 the 91st General Assembly, including the means by which the
19 Department shall be able to identify by registration number the
20 identity of the responsible irrigation contractor and by
21 license number the identity of the responsible licensed
22 plumber. No lawn sprinkler system installed after the effective
23 date of this amendatory Act of the 91st General Assembly may be
24 operated without the certification tag required under this
25 Section.

26 The registered irrigation contractor and the licensed

1 plumber whose identifying information is contained on the
2 certification tag shall both be subject to the penalty
3 provisions of this Act for violations for improper installation
4 of a lawn sprinkler system installed after the effective date
5 of this amendatory Act of the 91st General Assembly.

6 (d) An irrigation contractor that has registered with the
7 Department 7 or fewer persons who are authorized to install or
8 supervise the installation of lawn sprinkler systems shall
9 either employ or contract with at least one licensed plumber
10 who shall install or be responsible for the installation of
11 every lawn sprinkler system installed after the effective date
12 of this amendatory Act of the 91st General Assembly. The
13 licensed plumber shall inspect the risers and sprinkler heads
14 before backfilling.

15 An irrigation contractor that has registered with the
16 Department 8 to 12 persons who are authorized to install or
17 supervise the installation of lawn sprinkler systems shall
18 either employ or contract with at least 2 licensed plumbers who
19 shall install or be responsible for the installation of every
20 lawn sprinkler system installed after the effective date of
21 this amendatory Act of the 91st General Assembly. A licensed
22 plumber shall inspect the risers and sprinkler heads before
23 backfilling.

24 An irrigation contractor that has registered with the
25 Department 13 to 20 persons who are authorized to install or
26 supervise the installation of lawn sprinkler systems shall

1 either employ or contract with at least 3 licensed plumbers who
2 shall install or be responsible for the installation of every
3 lawn sprinkler system installed after the effective date of
4 this amendatory Act of the 91st General Assembly. A licensed
5 plumber shall inspect the risers and sprinkler heads before
6 backfilling.

7 An irrigation contractor that has registered with the
8 Department 21 to 28 persons who are authorized to install or
9 supervise the installation of lawn sprinkler systems shall
10 either employ or contract with at least 4 licensed plumbers who
11 shall install or be responsible for the installation of every
12 lawn sprinkler system installed after the effective date of
13 this amendatory Act of the 91st General Assembly. A licensed
14 plumber shall inspect the risers and sprinkler heads before
15 backfilling.

16 An irrigation contractor that has registered with the
17 Department 29 to 35 persons who are authorized to install or
18 supervise the installation of lawn sprinkler systems shall
19 either employ or contract with at least 5 licensed plumbers who
20 shall install or be responsible for the installation of every
21 lawn sprinkler system installed after the effective date of
22 this amendatory Act of the 91st General Assembly. A licensed
23 plumber shall inspect the risers and sprinkler heads before
24 backfilling.

25 An irrigation contractor that has registered with the
26 Department 36 or more persons who are authorized to install or

1 supervise the installation of lawn sprinkler systems shall
2 either employ or contract with at least 6 licensed plumbers who
3 shall install or be responsible for the installation of every
4 lawn sprinkler system installed after the effective date of
5 this amendatory Act of the 91st General Assembly. A licensed
6 plumber shall inspect the risers and sprinkler heads before
7 backfilling.

8 The Department may provide by rule for the temporary waiver
9 process for registered irrigation contractors who are unable to
10 comply with the requirements of this subsection. When a
11 temporary waiver is granted, it shall not be for a duration of
12 more than 3 consecutive months. Upon the expiration of a
13 temporary waiver issued by the Department, the registered
14 irrigation contractor shall demonstrate that justifiable
15 reasons exist why he or she is still unable to comply with the
16 requirements of this subsection, despite good faith efforts to
17 comply with the requirements. In no case shall a temporary
18 waiver be granted for an irrigation contractor for more than a
19 total of 6 months in a two-year period. In no case shall an
20 irrigation contractor be relieved of the requirement that a
21 licensed plumber shall inspect every sprinkler system
22 installed by an irrigation contractor to ensure the provisions
23 of this Section have been met and that the system works
24 mechanically and make the physical connection between a
25 sprinkler system and the backflow prevention device.

26 (e) No person shall attach to a lawn sprinkler system any

1 fixture intended to supply water for human consumption.

2 No person shall attach to a lawn sprinkler system any
3 fixture other than the backflow prevention device, sprinkler
4 heads, valves, and other parts integral to the operation of the
5 system, unless the fixture is clearly marked as being for
6 non-potable uses only.

7 (Source: P.A. 91-678, eff. 1-26-00; 92-778, eff. 8-6-02.)

8 (Text of Section after amendment by P.A. 94-101)

9 Sec. 2.5. Irrigation contractors; lawn sprinkler systems.

10 (a) Every irrigation contractor doing business in this
11 State shall annually register with the Department. Every
12 irrigation contractor shall provide to the Department his or
13 her business name and address, telephone number, name of
14 principal, FEIN number, and an original certificate of
15 insurance documenting that the irrigation contractor carries
16 general liability insurance with a minimum of \$100,000 per
17 occurrence, bodily injury insurance with a minimum of \$300,000
18 per occurrence, property damage insurance with a minimum of
19 \$50,000, and worker's compensation insurance with a minimum of
20 \$500,000. No registration may be issued in the absence of the
21 certificate of insurance. The certificate must be in force at
22 all times for registration to remain valid.

23 On a form provided by the Department, every irrigation
24 contractor must provide to the Department an indemnification
25 bond in the amount of \$20,000 or an irrevocable letter of

1 credit from a financial institution guaranteeing that funds
2 shall be available only to the Department and shall be released
3 upon written notification by the Department in the same amount
4 for any work on lawn sprinkler systems performed by the
5 registered irrigation contractor. The letter of credit shall be
6 printed on the letterhead of the issuing financial institution,
7 be signed by an officer of the same financial institution, name
8 the Department as the sole beneficiary, and expire on February
9 28 of each year.

10 Every irrigation contractor doing business in this State
11 shall also register with the Department each and every employee
12 who installs or supervises the installation of lawn sprinkler
13 systems. The registration shall include the employee's name,
14 home address, and telephone number. The Department may provide
15 by rule for the administration of registrations under this
16 subsection. The annual registration fee shall be set by the
17 Department pursuant to Section 30 of this Act. Each registered
18 irrigation contractor must provide proof that he or she employs
19 at least one irrigation employee who has completed and passed
20 an approved class in the design and installation of lawn
21 sprinkler systems.

22 (b) A licensed plumber or licensed apprentice plumber may
23 install a lawn sprinkler system connected to any water source
24 without registration under this Section.

25 (c) A licensed plumber shall inspect every sprinkler system
26 installed by an irrigation contractor to ensure the provisions

1 of this Section have been met and that the system works
2 mechanically. A licensed plumber shall make the physical
3 connection between a lawn sprinkler system and the backflow
4 prevention device.

5 Upon the installation of every lawn sprinkler system in
6 this State from the effective date of this amendatory Act of
7 the 91st General Assembly forward, a licensed plumber shall
8 affix to the backflow prevention device a tag certifying that
9 the installation of that system has been completed in
10 compliance with the minimum code of plumbing standards
11 promulgated under this Act. The Department shall provide by
12 rule for the registration of every lawn sprinkler system
13 installed after the effective date of this amendatory Act of
14 the 91st General Assembly, including the means by which the
15 Department shall be able to identify by registration number the
16 identity of the responsible irrigation contractor and by
17 license number the identity of the responsible licensed
18 plumber. No lawn sprinkler system installed after the effective
19 date of this amendatory Act of the 91st General Assembly may be
20 operated without the certification tag required under this
21 Section.

22 The registered irrigation contractor and the licensed
23 plumber whose identifying information is contained on the
24 certification tag shall both be subject to the penalty
25 provisions of this Act for violations for improper installation
26 of a lawn sprinkler system installed after the effective date

1 of this amendatory Act of the 91st General Assembly.

2 (d) An irrigation contractor who has registered with the
3 Department 7 or fewer persons who are authorized to install or
4 supervise the installation of lawn sprinkler systems shall
5 either employ or contract with at least one licensed plumber
6 who shall install or be responsible for the installation of
7 every lawn sprinkler system installed after the effective date
8 of this amendatory Act of the 91st General Assembly. The
9 licensed plumber shall inspect the risers and sprinkler heads
10 before backfilling.

11 An irrigation contractor who has registered with the
12 Department 8 to 12 persons who are authorized to install or
13 supervise the installation of lawn sprinkler systems shall
14 either employ or contract with at least 2 licensed plumbers who
15 shall install or be responsible for the installation of every
16 lawn sprinkler system installed after the effective date of
17 this amendatory Act of the 91st General Assembly. A licensed
18 plumber shall inspect the risers and sprinkler heads before
19 backfilling.

20 An irrigation contractor who has registered with the
21 Department 13 to 20 persons who are authorized to install or
22 supervise the installation of lawn sprinkler systems shall
23 either employ or contract with at least 3 licensed plumbers who
24 shall install or be responsible for the installation of every
25 lawn sprinkler system installed after the effective date of
26 this amendatory Act of the 91st General Assembly. A licensed

1 plumber shall inspect the risers and sprinkler heads before
2 backfilling.

3 An irrigation contractor who has registered with the
4 Department 21 to 28 persons who are authorized to install or
5 supervise the installation of lawn sprinkler systems shall
6 either employ or contract with at least 4 licensed plumbers who
7 shall install or be responsible for the installation of every
8 lawn sprinkler system installed after the effective date of
9 this amendatory Act of the 91st General Assembly. A licensed
10 plumber shall inspect the risers and sprinkler heads before
11 backfilling.

12 An irrigation contractor who has registered with the
13 Department 29 to 35 persons who are authorized to install or
14 supervise the installation of lawn sprinkler systems shall
15 either employ or contract with at least 5 licensed plumbers who
16 shall install or be responsible for the installation of every
17 lawn sprinkler system installed after the effective date of
18 this amendatory Act of the 91st General Assembly. A licensed
19 plumber shall inspect the risers and sprinkler heads before
20 backfilling.

21 An irrigation contractor who has registered with the
22 Department 36 or more persons who are authorized to install or
23 supervise the installation of lawn sprinkler systems shall
24 either employ or contract with at least 6 licensed plumbers who
25 shall install or be responsible for the installation of every
26 lawn sprinkler system installed after the effective date of

1 this amendatory Act of the 91st General Assembly. A licensed
2 plumber shall inspect the risers and sprinkler heads before
3 backfilling.

4 The Department may provide by rule for the temporary waiver
5 process for registered irrigation contractors who are unable to
6 comply with the requirements of this subsection. When a
7 temporary waiver is granted, it shall not be for a duration of
8 more than 3 consecutive months. Upon the expiration of a
9 temporary waiver issued by the Department, the registered
10 irrigation contractor shall demonstrate that justifiable
11 reasons exist why he or she is still unable to comply with the
12 requirements of this subsection, despite good faith efforts to
13 comply with the requirements. In no case shall a temporary
14 waiver be granted for an irrigation contractor for more than a
15 total of 6 months in a two-year period. In no case shall an
16 irrigation contractor be relieved of the requirement that a
17 licensed plumber shall inspect every sprinkler system
18 installed by an irrigation contractor to ensure the provisions
19 of this Section have been met and that the system works
20 mechanically and make the physical connection between a
21 sprinkler system and the backflow prevention device.

22 (e) No person shall attach to a lawn sprinkler system any
23 fixture intended to supply water for human consumption.

24 No person shall attach to a lawn sprinkler system any
25 fixture other than the backflow prevention device, sprinkler
26 heads, valves, and other parts integral to the operation of the

1 system, unless the fixture is clearly marked as being for
2 non-potable uses only.

3 (f) A college, university, trade school, vocational
4 school, or association that has established a program providing
5 a course of instruction in lawn sprinkler design and
6 installation may submit a letter to the Department requesting
7 approval of its program or course of instruction.

8 The request for approval shall include information on the
9 curriculum offered by the program and the qualifications of the
10 organization. The course shall consist of a minimum of 2 days
11 of classroom education and an exam and shall include a
12 provision for continuing education.

13 The Department shall evaluate the curriculum and
14 organization before making a determination to approve or deny a
15 request for approval.

16 In addition to providing to the Department the names of
17 licensed plumbers who are employed by or contract with an
18 irrigation contractor, an irrigation contractor must also
19 provide to the Department the names of employees who have
20 successfully completed an approved course on the installation
21 of lawn sprinkler systems and proof that the course was
22 successfully completed and that continuing education is also
23 being completed.

24 (g) All automatically operated lawn sprinkler systems
25 shall have furnished and installed technology that inhibits or
26 interrupts operation of the landscape irrigation system during

1 periods of sufficient moisture or rainfall. The technology must
2 be adjustable either by the end user or the irrigation
3 contractor.

4 This subsection (g) does not apply to systems operating on
5 golf courses or agricultural lands.

6 The requirements of this subsection (g) apply to all
7 landscape irrigation systems installed after January 1, 2009.

8 (Source: P.A. 94-101, eff. 1-1-08.)

9 Section 95. No acceleration or delay. Where this Act makes
10 changes in a statute that is represented in this Act by text
11 that is not yet or no longer in effect (for example, a Section
12 represented by multiple versions), the use of that text does
13 not accelerate or delay the taking effect of (i) the changes
14 made by this Act or (ii) provisions derived from any other
15 Public Act.

16 Section 99. Effective date. This Act takes effect January
17 1, 2009.